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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

MAERTENS et al.

Atty. Ref.: 2551-68

Serial No. 09/995,791

Group: 1648

Filed: November 29, 2001

Examiner: Mosher

For: PURIFIED HEPATITIS C VIRUS ENVELOPE PROTEINS FOR DIAGNOSTIC AND
THERAPEUTIC USE

* * * * *

January 3, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST

Clarification is requested with regard to the Examiner's comments on page 5 of the Office Action dated December 17, 2004, with regard to the allowable subject matter. Specifically, the Examiner states that claims 29, 31, 33, 35 and 36 would be allowable if rewritten to overcome the rejections "under 35 U.S.C. 112, 2nd paragraph, set forth in this Office Action" however the Office Action does not appear to contain a rejection of the noted claims under Section 112, second paragraph. Clarification is requested as to what further may be required or what further rejections have been maintained under Section 112, second paragraph, or any other statutory requirement, of claims 29, 31, 33, 35 and 36.

The applicants regret any inconvenience caused to the Examiner by the incorrect serial number on the PTO-1449 Forms previously-filed and appreciate the return of the same with the Office Action of December 17, 2004.

The Examiner is requested to return an initialed copy of Form PTO-1449, filed with the Information Disclosure Statement on August 25, 2004, to the undersigned. A copy of the same was not received with the Office Action dated December 17, 2004.


The Examiner is requested to acknowledge the applicants claim for domestic priority as the Office Action of December 17, 2004 and the previously-issued Office Actions do not include the same.

The above clarification is requested so that the applicants may completely respond to the Office Action of December 17, 2004.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


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